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170913Z Dec 01

2001HANOI03269 - UNCLASSIFIED

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ACTION EAP-00

INFO	LOG-00	NP-00	AID-00	CEA-01	CIAE-00	COME-00	CTME-00
	INL-00	DODE-00	ITCE-00	DOTE-00	WHA-00	SRPP-00	EB-00
	EXME-00	EUR-00	E-00	FAAE-00	FBIE-00	UTED-00	VC-00
	FRB-00	H-01	TEDE-00	INR-00	IO-00	ITC-01	LAB-01
	L-00	VCE-00	MOFM-05	MOF-00	AC-01	NSAE-00	NSCE-00
	OIC-02	OMB-01	OPIC-01	PC-01	PRS-00	ACE-00	P-00
	SP-00	SSO-00	STR-00	TEST-00	TRSE-00	USIE-00	R-00
	EPAE-00	SNIS-00	NISC-00	PRM-00	DRL-02	G-00	NFAT-00
	SAS-00	SWCI-00	/017W				

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FM AMEMBASSY HANOI
TO SECSTATE WASHDC PRIORITY 5025
INFO AMCONSUL HO CHI MINH CITY
USEU BRUSSELS
AMEMBASSY STOCKHOLM
AMEMBASSY HELSINKI
AMEMBASSY PHNOM PENH

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SIPDIS

STATE PASS USAID ANE/LFORMAN AND AFERRARA
EMBASSY PHNOM PENH FOR USAID DIRECTOR LISA CHILES

E.O. 12958: N/A

TAGS: PHUM ELAB ECON EAID VM RELFREE HUMANR ETMIN

SUBJECT: VIETNAM: "RIGHTS OF PERSONS" EMPHASIZED AT THE CONSULTATIVE GROUP OF DONORS MEETING

1. SUMMARY: AT THE CONSULTATIVE GROUP OF DONORS MEETING IN HANOI ON DECEMBER 7-8, THERE WAS A WELCOME MESSAGE FROM DONORS ON THE ISSUE OF "RIGHTS" WRIT LARGE. THE CONSISTENCY AND THE CLARITY OF THE STATEMENTS BY BOTH INDIVIDUAL DELEGATIONS AND NGOS ARE WORTH NOTING. WHILE IT IS CLEAR THAT FOR THE TIME BEING, DONORS ARE NOT PREPARED TO STRICTLY CONDITION THEIR ASSISTANCE SOLELY UPON IMPROVEMENT OF HUMAN RIGHTS, THE ISSUE IS FIRMLY ON THE TABLE IN MANY DONORS' MINDS AS A MEASURE OF VIETNAM'S REFORM AND DEVELOPMENT EFFORTS. ALTHOUGH THE VIETNAMESE DID NOT RESPOND DIRECTLY TO THE COMMENTS, THEY CLEARLY WERE TAKING IT ALL IN. THE QUESTION REMAINS, HOWEVER, WHETHER ANY OF THIS WILL HAVE AN EFFECT IN THE NEAR TO MEDIUM TERM. THE RESULTS OF THE CONSULTATIVE GROUP MEETINGS ARE REPORTED SEPTTEL. END SUMMARY.

2. ALL IN AGREEMENT: DONORS AGREED THAT THE FIGHT AGAINST CORRUPTION, BUILDING THE RULE OF LAW, AN INDEPENDENT AND PREDICTABLE JUDICIARY, TRANSPARENCY, ACCOUNTABILITY, THE PROMOTION OF CIVIL SOCIETY, A FREE MASS MEDIA, PARTICIPATION BY THE PEOPLE IN DECISION MAKING, AND HUMAN RIGHTS WERE ALL "PILLARS OF DEMOCRATIC GOVERNANCE." SEVERAL DONORS MADE THE EXPLICIT LINKAGE BETWEEN THE PROTECTION OF LEGAL RIGHTS AND THE PROTECTION OF HUMAN RIGHTS IN A "DEMOCRATIC SOCIETY." A NUMBER OF DONORS WELCOMED THE IMPROVEMENT IN "PERSONAL FREEDOMS" AND THE MORE OPEN DIALOGUE ON HUMAN RIGHTS, AND EXPRESSED HOPE THAT THIS WOULD CONTINUE AND GROW. SEVERAL DONORS OPINED THAT ALL CITIZENS MUST BE ABLE TO FULLY PARTICIPATE IN ECONOMIC AND CIVIC LIFE IF VIETNAM IS TO

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ACHIEVE SUSTAINABLE SUCCESS ITS ON-GOING POVERTY ALLEVIATION AND ECONOMIC REFORM PROGRAM. THE REPRESENTATIVE FOR THE ASIAN DEVELOPMENT BANK TOUCHED ON THE ISSUES THROUGH THE CONTEXT OF "TRANSPARENCY" AND "GOOD GOVERNANCE", STRESSING THAT GOOD GOVERNANCE UNDERPINS THE ENTIRE REFORM EFFORT AND THAT THE GOVERNMENT NEEDS TO FOCUS MORE ON TRANSPARENCY AND GOVERNANCE ISSUES IN ORDER TO ENSURE THAT ALL SECTORS OF SOCIETY BENEFIT FROM ECONOMIC GROWTH AND POVERTY REDUCTION EFFORTS. THE ENTIRE DISCUSSION OF HUMAN RIGHTS AS RELATED TO GOVERNANCE AND CHANGE WAS EXPLICITLY ADDRESSED IN THE WORLD BANK'S CLOSING STATEMENT.

3. EUROPEAN UNION: THE EU WELCOMED THE GENERAL IMPROVEMENT IN PERSONAL FREEDOM FOR THE INDIVIDUAL IN VIETNAM AND THE MORE OPEN DIALOGUE ON HUMAN RIGHTS BETWEEN THE EU AND VIETNAM. THEY ALSO COMMENTED ON THE NEED FOR INCREASED EFFORTS TO ENSURE GREATER LEGITIMACY FOR THE GOVERNMENT, ESPECIALLY IN RELATION TO ENHANCING POPULAR PARTICIPATION. THEY NOTED THAT INCREASING ATTENTION IS BEING PAID IN THE EU TO THESE DEVELOPMENTS. THEY ALSO RAISED THEIR CONTINUED CONCERN REGARDING LACK OF FREEDOM OF OPINION AND OF

RELIGION, AS WELL AS THE SITUATION OF ETHNIC MINORITIES, RESTRICTIONS IN FREEDOM OF THE PRESS AND THE APPLICATION OF THE DEATH PENALTY. THE EU OFFERED TO CONTINUE ITS DIALOGUE ON THESE ISSUES AND TO ENHANCE ITS COOPERATION WITH VIETNAM IN THESE FIELDS.

14. FINLAND: FINLAND ARGUED FOR THAT ONE OF THE KEY PREREQUISITES FOR SUSTAINABLE DEVELOPMENT IS A PARTICIPATORY GOVERNMENT. IT NOTED THE GRASSROOTS DEMOCRACY DECREE BUT STRESSED THAT THE SPIRIT OF DECREE MUST BE IMPLEMENTED SO
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THAT ALL CITIZENS, INCLUDING WOMEN, ETHNIC MINORITIES AND THE DISABLED, WITH THEIR DIFFERENT VIEWS, HAVE A REAL SAY IN HOW THEIR SOCIETY IS ADMINISTERED.

15. SWEDEN: SWEDEN FOCUSED ON THE PROMOTION OF CIVIL SOCIETY, FREE AND INDEPENDENT MASS MEDIA, PARTICIPATION IN DECISION MAKING, POLITICAL PLURALISM AND RESPECT FOR HUMAN RIGHTS AS THE CORNERSTONES OF A DEMOCRATIC SOCIETY. THEY LINKED THOSE ISSUES TO CREATING A CLIMATE OF CONFIDENCE FOR ECONOMIC ACTORS, TRADERS AND INVESTORS. SWEDEN OFFERED ASSISTANCE TO VIETNAM TO CONDUCT A STUDY ON THE SUCCESS OF IMPLEMENTATION OF THE GRASSROOTS DEMOCRACY DECREE AT THE COMMUNE LEVEL AS WELL AS FOR A STUDY ON ANTI-CORRUPTION EFFORTS. IT APPLAUDED THE GVN'S EFFORTS AT CREATING A MASTER PLAN FOR ADMINISTRATIVE REFORM, BUT URGED THE GVN TO USE THE SAME ENERGY IN DRAFTING A MASTER PLAN ON DEMOCRATIC GOVERNANCE REFORM. SWEDEN PUSHED FOR GREATER LEGAL REFORM, STRESSING THAT LEGAL REFORM WILL HAVE TO DIRECTLY EMPHASIZE THE STATE'S OBLIGATIONS TO PROTECT HUMAN RIGHTS, PARALLEL WITH THE PROTECTION OF DEMOCRATIC RIGHTS.

16. NGOS: THE NGOS NOTED THE NEED TO PROTECT HUMAN RIGHTS, LABOR RIGHTS, AND THE ENVIRONMENT. THEY HIGHLIGHTED THE NEED TO INCREASE LOCAL ASSOCIATION RIGHTS, FOSTER A MORE PARTICIPATORY GOVERNMENT, AND IMPLEMENT GRASS ROOTS DEMOCRACY.

17. OTHERS: DENMARK RAISED THE NEED FOR IMPROVED HUMAN RIGHTS AND NOTED THAT ALL STAKE HOLDERS NEED TO BE INVOLVED IN DISCUSSION OF FUTURE REFORMS, SUCH AS INCREASING PARTICIPATION OF CIVIL SOCIETY. NEW ZEALAND LINKED THE NEED FOR GOOD GOVERNANCE TO ACHIEVE REFORM GOALS, INCLUDING LEGAL REFORMS, AND STRESSED THAT HUMAN RIGHTS DEPEND ON GOOD GOVERNANCE. NORWAY APPLAUDED THE HUMAN RIGHTS DIALOGUE ALTHOUGH IT STILL HAS CONCERNS OVER THE STATE OF HUMAN RIGHTS IN VIETNAM. IT ALSO ECHOED THE EU STATEMENT ON PROGRESS. SWITZERLAND STRESSED THE NEED FOR THE PROMOTION OF A CIVIL SOCIETY, THE IMPLEMENTATION OF THE GRASSROOTS DEMOCRACY ACT, AND ACTIONS TO RECTIFY GENDER INEQUALITY.

18. THE VIETNAMESE RESPONSE: THE GVN REPRESENTATIVES AT THE CG DID NOT RESPOND TO DONOR INTERVENTIONS ON HUMAN RIGHTS, BUT NEITHER DID THEY DID PROTEST THEM, ASSERT THAT THEY DID NOT BELONG IN A DISCUSSION OF DEVELOPMENT ASSISTANCE, OR REQUEST THAT MENTION OF IT BE DELETED FROM THE DRAFT OF THE PROCEEDINGS. IN HIS RESPONSE TO THE SESSION ON PUBLIC ADMINISTRATION REFORM AND GOOD GOVERNANCE IN WHICH MOST OF THE POINTS ABOVE WERE RAISED, MINISTER FOR PLANNING AND INVESTMENT TRAN XUAN GIA, THE SENIOR GVN OFFICIAL PRESENT FOR THE WORKING SESSIONS, AGREED THAT IMPROVING GOVERNANCE AND TRANSPARENCY WERE IMPORTANT ISSUES.

19. COMMENT: ALTHOUGH THE VIETNAMESE DID NOT RESPOND DIRECTLY TO THE COMMENTS BY DONORS, THEY CLEARLY WERE TAKING IT ALL IN. THE QUESTION REMAINS, HOWEVER, WHETHER ANY OF THIS WILL HAVE AN EFFECT IN THE NEAR TO MEDIUM TERM. END
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COMMENT.
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